

MR. SPEAKER.—The question is :

“That leave be granted to introduce the Karnataka Village Panchayats and Local Boards (Amendment) Bill, 1978.

*The motion was adopted and leave was granted*

SRI G. RAME GOWDA.—I beg to introduce the Karnataka Village Panchayats and Local Boards (Amendment) Bill, 1978.

MR. SPEAKER.—The Bill is introduced \* \*

### **Karnataka Co-operative Societies (Amendment) Bill, 1978—Introduction**

SRI V. M. KUSHNOOR (Minister of State for Co-operation) —Sir, I beg to move :

“That leave be granted to introduce the Karnataka Co-operative Societies (Amendment) Bill, 1978.”

MR. SPEAKER.—The question is :

“That leave be granted to introduce the Karnataka Co-operative Societies (Amendment) Bill, 1978.”

*The motion was adopted and leave was granted*

SRI V. M. KUSHNOOR.— Sir, I beg to introduce the Karnataka Co-operative Societies (Amendment) Bill, 1978.

MR. SPEAKER.—The Bill is introduced \* \*

### **Ruling by the Speaker**

*re : question of privilege about absence of the Chief Minister*

MR. SPEAKER.—I had reserved my ruling on the privilege motion moved by certain hon'ble Members. I wish to give it now.

On 17th June 1978 Hon'ble Members Sriyuths S. R. Bommai and A. Lakshmisagar gave notice of a question of privilege against the Chief Minister. They advanced arguments in the House stating that the Chief Minister had committed a breach of privilege of the House by being absent from the House, when his questions were to be answered on the floor of the House on that particular day. The contention of the members was that the Chief Minister has exhibited a contemptuous attitude towards the House by being absent while he had attended certain other function in the city on the same day.

---

\* \* Copeis of Bills introduced are appended as Annexures I to IX to this Volume.

The Minister for Revenue who was present in the House explained that the Chief Minister had written a letter to the Speaker explaining the reasons for his absence and therefore the matter should not be made much of. I promised the House that I would examine the position and give my ruling on the privilege motion. I have accordingly given my careful consideration to the matter.

On 15th June 1978 I received a letter from the Chief Minister stating that he would be away from Headquarters from 16th June to 19th June 1978 and that the Minister for Revenue would attend to the business pertaining to him in the Assembly during his absence. On 16th June 1978 I received another letter from the Chief Minister stating that the Minister for Revenue to whom he had entrusted his work would also not be in station on the 16th and therefore the questions posted for his answers on that day may be held over. I accordingly held over the questions. The matter of privilege was raised on the 17th June.

I find that there is no rule which provides that all Ministers must be present in the House at all times. The Speaker no power to enforce the attendance of any particular Minister in the House just as members cannot be compelled to be present. But certain conventions regarding the presence of Ministers in House have developed over the years. It is now an established convention that Ministers whose business is before the House should be present. In case they are unable to be present they must inform the Speaker in advance and also entrust their business to their colleagues. This is the position in Lok Sabha as well as in our Legislature. On several occasions the Speakers in Parliament and in the House have impressed upon the Ministers that they should be present when their business is before the House. I also find that on one or two occasions when particular Ministers were absent the business then before the House was either postponed or the House adjourned for some time to procure the presence of the Minister. There are occasions when the Speakers have deprecated the absence of Ministers without intimation. On no occasion the absence of a Minister has been regarded or treated as a breach of privilege or contempt of the House. By this I do not mean to suggest that the Ministers could be absent with impunity. When the House is in Session the business of the House should receive the highest priority from the hands of the Ministers. Dignity of the House and courtesy demand that while the House is in Session the Ministers should be present in the House as far as possible. Whenever there are important discussions in the House, it is undesirable that as many Ministers as is possible are present in the House. At any rate the Ministers whose business is before the House should be present in the House unless they are required to be

absent for unavoidable reasons and in such case they should inform me in advance and make alternate arrangements to look after the business before the House on the particular occasion. I would like to quote the following two rulings given in Parliament and in this House on this point.—

On 6th December, 1950, when the motion re : the International situation was being discussed, Shri K. Hanumanthaiya finding the Prime Minister, who was in charge of the motion, not present, on a point of order asked whether the Minister concerned with the motion should be present or it would be enough if the Minister of Parliamentary Affairs was present. The Speaker thereupon, observed as follows.—

“There is no point of order in that, but I think that it has been the established convention here that the Minister concerned is expected to be present in the House and on important occasions as many Ministers as possible. Incidentally, it also involves a corresponding duty on the part of Member. They should, after delivering their own speeches, remain in the House and hear what the other Members have to say and also here the reply which the Hon'ble Minister gives. In spite of this convention, some latitude has to be given in respect of Minister, for the simple reason that they have to attend to many duties and it is not possible for the Chair to come to a conclusion on the importance of business which detains them. Some arrangement seems to have been made to take notice of the debate that is being carried on in the unavoidable absence of the Minister. And in any case, the hon'ble the Prime Minister has just now come. The matter is settled”.

“On 28th November 1958, after question hour, Sri C. M. Annamugham represented to the Hon'ble Speaker that when the session was going on, Ministers were attending opening ceremonies and such other functions and requested that in the same way as the Speaker had ordered members not to attend such functions during the session, he should give such order to Ministers also. There upon the Speaker made following observations.—

“This is not the first time that this question has been raised. It was raised a few days ago and I then stated that normally a Minister should be present when his subject is being discussed. But there are occasions when the Ministers go out to lay the foundation stone of some dam or to open

some institutes, That way we have no control over them. We have laid down a general rule which I have mentioned. I cannot prevent the Ministers from going out and attending to other duties outside the House”.

In view of the rulings in Parliament and in this House I am inclined to feel that there is no question of breach of privilege in the issue raised by the members. I do not think there is any intention on the part of the Chief Minister to deliberately mislead the House in what he has written to me. The Chief Minister has informed me in advance the reasons for his absence and it is not for the Chair to go behind and beyond the letter and infer otherwise. I, however, appeal to all the Ministers to see that they are present in the House whenever their business comes before the House and as often as possible on their occasions. In this connections I impress upon the the Government whip to see that no room is given for complaints regarding absence of Ministers in the House in future.

### Requests to postpone the T.B. elections

ಶ್ರೀ ಭೀಮಣ್ಣ ಖಂಡ್ರೆ. — ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈಗ ಅಸೆಂಬ್ಲಿ ನಡೆಯುತ್ತಿದೆ. ಆದರೆ ನಾಳೆ ದಿವಸ ತಾಲ್ಲೂಕು ಬೋರ್ಡ್ ಅಧ್ಯಕ್ಷರ ಚುನಾವಣೆ ಇದೆ. ನಾನು ಇಲ್ಲಿ ಹಾಜರು ಆಗಬೇಕೋ ಅಥವಾ ಅಲ್ಲಿ ಹಾಜರು ಆಗಬೇಕೋ ಎಂಬುದು ಗೊತ್ತಾಗುತ್ತಿಲ್ಲ. ಆದ್ದರಿಂದ ತಮ್ಮ ಮೂಲಕ ಈ ಚುನಾವಣೆಯನ್ನು ಮುಂದಕ್ಕೆ ಹಾಕಬೇಕೆಂದು ಸರ್ಕಾರದವರನ್ನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಅಧ್ಯಕ್ಷರು.—ಅದ್ವೈತರಿ ಕಮಿಟಿಯಲ್ಲಿ ಈ ಧನ ಈ ಸಭೆ ಸೇರಬೇಕೆಂದು ತೀರ್ಮಾನವಾಗಿತ್ತು. ಆದ ಕಾರಣ ಆ ವಿಚಾರವನ್ನು ಈಗ ಇಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ.

SRI BHIMANNA KHANDRE.—I want to draw attention of the Government through you that the Assembly is in session. So the election must be postponed.

ಅಧ್ಯಕ್ಷರು.—ಅದು ತಮ್ಮ ಸಲಹೆ. ತಮ್ಮ ಸಲಹೆಯನ್ನು ನಾನು ಕೇಳುತ್ತೇನೆ. ಆದರೆ It is left to the decision of this House.

### Presence of the Ministers in the House

2-00 P.M.

SRI AZEEZ SAIT.—Sir, I want to draw your attention to one matter. I have no right to question your ruling. I have just heard it in part.

SRI A. LAKSHMISAGAR.—It is refreshing to hear that the Hon. Minister heard your ruling in part.

SRI AZEEZ SAIT.—I said that I heard your ruling partly when I was just entering the House. As a Parliamentary I had to stand there till the Chair completed its ruling. Let me complete what I have to say. What I mean is, this ruling is becoming more and more binding and making our position a little difficult.